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Ash Creek Associates, Inc.

Environmental and Geotechnical Consultants

February 17, 2012

Mr. John Phillips
Florida Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

RECEIVED
FEB 20 2012
NORTHEAST DISTRICT
DEP-JACKSONVILLE

Re: Maintenance Plan for Cap Proposed in *Remedial Action Plan*
Former Florida Smelting Company/Bufalo Avenue
5800 Buffalo Avenue
Jacksonville, Florida
DEP Site # Com_293274, DEP Project #315913
1739-00

Dear Mr. Phillips:

This letter provides a long-term monitoring and maintenance plan for the asphalt cap proposed in a *Remedial Action Plan*, submitted to the Florida Department of Environmental Protection (FDEP) on December 29, 2011 for the northern portion of the NuStar Terminals Operating Partnership L.P. (NuStar) Jacksonville Annex I bulk fuel terminal, referred to herein as the Investigation Area. The Terminal is located at 5800 Buffalo Avenue in Jacksonville Florida (Figure 1). The Investigation Area is shown on Figure 2.

BACKGROUND

According to the U.S. Environmental Protection Agency (EPA) *Preliminary Assessment/Site Inspection Report* (T N & Associates, 2005), the Former Florida Smelting Company (FSC) was located primarily to the north of the Investigation Area on what is now Seaboard Coastline Railroad Company property, owned by CSXT. There is some uncertainty whether FSC also occupied a portion of the Investigation Area. FSC operated from approximately 1950 to 1960 (T N & Associates, 2005). CSXT has conducted two investigations of its property to assess the presence and distribution of smelter-related constituents in soil and groundwater beneath its property.

A site assessment was conducted by NuStar in September 2010 to assess whether surface soil and groundwater contain constituents potentially related to historical FSC operations at concentrations above FDEP target cleanup levels on NuStar property. Additional assessment activities were performed by NuStar in March 2011. Soil and groundwater samples were collected and a groundwater monitoring well (ACA-1) was installed during the assessments and a *Site Assessment Report* and *Site Assessment Report Addendum* (SARA) were submitted to FDEP (Ash Creek, 2010, 2011a). Following completion of the March 2011 assessment and submittal of a SARA, FDEP issued a letter confirming that delineation of soil and groundwater had been completed.

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IN - ~~ML~~ ~~CMT~~ PI
OUT - CPY ML CMT PI EC
CODE - CU

A Remedial Action Plan (RAP) was submitted to FDEP on December 29, 2011, which proposed installation of an asphalt cap to address soil in the area containing lead above soil cleanup target levels (Management Area), preparation of a contaminated media management plan (CMMP), institutional controls in the form of a restrictive covenant, and two additional groundwater monitoring events for well ACA-1 (Ash Creek, 2011b). A small portion of the Management Area inside of the tank farm secondary containment was not included in the proposed asphalt cap area because: (1) extensive aboveground piping networks and containment structures severely limit mobility in that area, preventing access for construction equipment; (2) most of the ground surface in the containment area is currently covered with gravel, minimizing the potential for direct contact with soil; (3) workers rarely enter the containment area since the tanks are inactive and do not require routine operations and maintenance activities. FDEP requested in a January 26, 2012 e-mail to NuStar that a Florida professional engineer approve the recommendation in the RAP that the tank farm secondary containment is an acceptable barrier for human exposure. This letter serves as an approval of the recommendations detailed in the RAP.

FDEP requested submittal of a cap maintenance plan in a January 26, 2012 e-mail to Ash Creek Associates. The following provides a long-term maintenance and monitoring plan for the asphalt cap.

PROPOSED LONG-TERM MAINTENANCE AND MONITORING PLAN

The following procedures will be implemented to monitor the condition and integrity of the proposed asphalt cap in the Management Area:

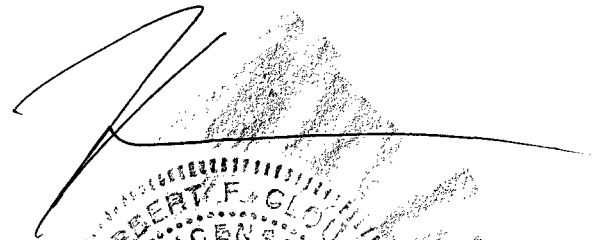
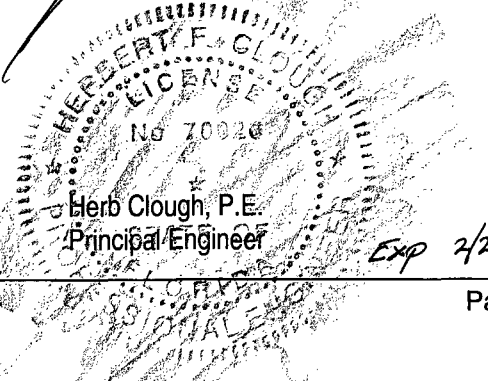
- A qualified professional, under responsible charge of a Florida Professional Engineer, will visit the site annually to conduct an inspection of the asphalt cap. The cap will be inspected for the presence of cracks, defects, excess weathering, vegetation growth, and other signs of cap deterioration.
- The inspection procedures and results will be documented and submitted to FDEP in a letter report. The letter report will include a description of the cap condition, and recommendations for any maintenance needed, and will be supported with photographs.
- If cracks, defects, or other signs of cap deterioration are observed during an annual inspection, NuStar will repair the cap within 120 days of the inspection. If the asphalt pavement is observed to be cracked during the inspection, a crack filler will be used to repair the pavement. In the event of pavement failure (e.g., alligator cracking or pothole), the affected asphalt pavement would be removed and replaced. Following repairs of the cap, documentation of the repairs and the results of a follow-up inspection will be submitted to FDEP.

Please do not hesitate to call either of the undersigned with any questions.

Sincerely,



Kirsten White
Senior Project Engineer

Herb Clough, P.E.
Principal Engineer

EXP 2/28/13



cc: Ms. Renee Robinson NuStar Energy L.P.
Ms. Amanda Joyce, NuStar Energy L.P.
Mr. Bill Bannister, NuStar Energy L.P.

ATTACHMENTS

Figure 1 – Management Area Location Map
Figure 2 – Management Area

REFERENCES

Ash Creek Associates (Ash Creek), 2010. *Site Assessment Report – Former Florida Smelting Company*. October 12, 2010.

Ash Creek, 2011a. *Site Assessment Report Addendum - Former Florida Smelting Company*. May 6, 2011.

Ash Creek, 2011b. *Remedial Action Plan - Former Florida Smelting Company*. December 29, 2011.

T N & Associates, 2005. *Preliminary Assessment/Site Inspection Report; Florida Smelting Company/Buffalo Avenue*. September 30, 2005





Note: Base map prepared from USGS 7.5-minute quadrangles of Trout River and Jacksonville, FL, revised 1992 as provided by TerraServer-USA.

0 2,000 4,000
Approximate Scale in Feet



Management Area Location Map

Proposed Cap Maintenance Plan
NuStar Terminals Operations Partnership L.P. - Annex 1
Jacksonville, Florida



Ash Creek Associates
A Division of Apex Companies, LLC

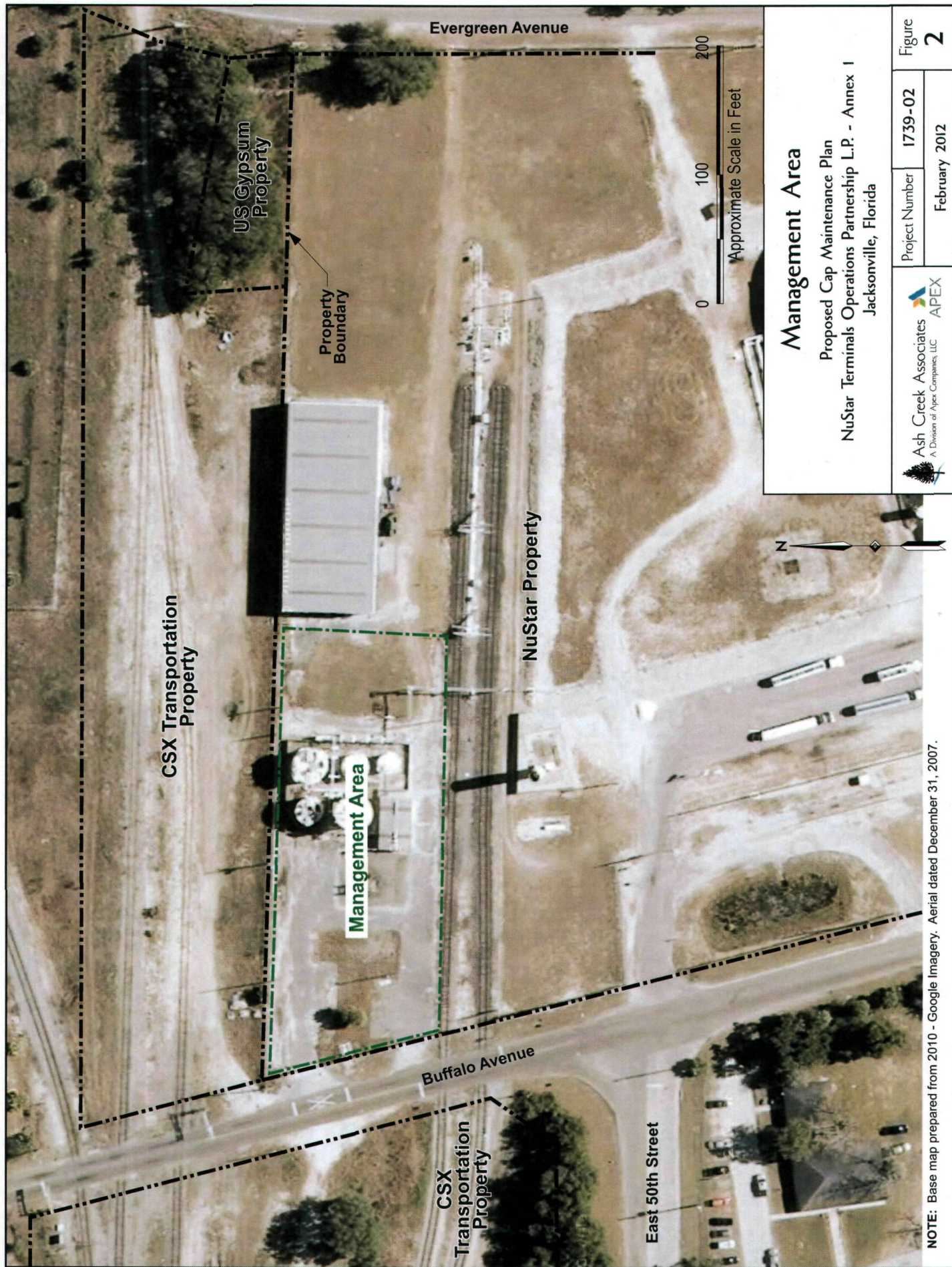


Project Number 1739-02

February 2012

Figure

1



Management Area

Proposed Cap Maintenance Plan

NuStar Terminals Operations Partnership L.P. - Annex 1
Jacksonville, Florida



Project Number

1739-02

February 2012

Figure

2

NOTE: Base map prepared from 2010 - Google Imagery. Aerial dated December 31, 2007.